

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

VINCENT TALLEY,	:	
	:	
Petitioner,	:	
	:	
v.	:	CIVIL ACTION NO.:
	:	
SUPERINTENDENT BURNS et al.,	:	13-3756
	:	
Respondent.	:	

ORDER

AND NOW, this 7th day of November 2013, upon careful and independent consideration of the petition for writ of habeas corpus, upon finding that neither party has objected to the report and recommendation of Magistrate Judge Elizabeth T. Hey, and after review of the report and recommendation for clear error,¹ **IT IS HEREBY ORDERED:**

- 1) The report and recommendation of Judge Hey, (Dkt. No. 7), is **APPROVED AND ADOPTED.**
- 2) The petition for a write of habeas corpus is placed in suspense until the conclusion of the state appellate proceedings.
- 3) Petitioner and Respondents shall notify the court within thirty days of the conclusion of the state proceedings so the habeas petition may proceed in

¹When timely objections are filed to the report and recommendation of a magistrate judge, the district court must review de novo those portions of the report and recommendation to which objection is made. 28 U.S.C. §636(b)(1). If there are no objections to the report and recommendation or when reviewing those portions of the report and recommendation to which no objections are directed if there are objections, the court should, as a matter of good practice, “satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed.R.Civ.P. 72(b), advisory committee notes; *see also Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987).

this court.

BY THE COURT:

s/ C. Darnell Jones, II

C. DARNELL JONES II, J.